

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Law Offices of Kevin Fayette, LLC.
1675 Whitehorse-Mercerville Road
Suite 204
Hamilton, NJ 08619

In Re:

Kenneth & Kim Frank



Order Filed on March 20, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

Case No.: 15-12477

Hearing Date: 3/20/18

Chapter: 13

Judge: JNP

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: March 20, 2018



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

After review of the Debtor's motion for authorization to sell the real property commonly known as 2321 Burroughs Avenue, Northfield, NJ 08225-1063, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Matthew-BaderBerger Realty

Amount to be paid: 6% Commision (shared with buyer's agent)

Services rendered: Showing Residence

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 29,150.00 claimed as exempt may be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☒ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions:

rev.8/1/15

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Kenneth M. Frank
Kim B. Frank
Debtors

Case No. 15-12477-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 22, 2018.
db/jdb +Kenneth M. Frank, Kim B. Frank, 2321 Burroughs Avenue, Northfield, NJ 08225-1063

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 20, 2018 at the address(es) listed below:

Denise E. Carlson on behalf of Creditor BANK OF AMERICA, N.A.
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin C. Fayette on behalf of Joint Debtor Kim B. Frank kfayette@kevinfayette.com
Kevin C. Fayette on behalf of Debtor Kenneth M. Frank kfayette@kevinfayette.com
William M. E. Powers, III on behalf of Creditor PennyMac Loan Services, LLC as servicer for
Bank of America, N.A. ecf@powerskirn.com
William M.E. Powers on behalf of Creditor PennyMac Loan Services, LLC as servicer for Bank of
America, N.A. ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor PennyMac Loan Services, LLC as servicer for
Bank of America, N.A. ecf@powerskirn.com

TOTAL: 9